IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION.

SUIT No.1859 of 1989

M/s M. J. Exports Ltd. ..Plaintiff.

Vs.

M/s Mayur Oil & Foods Ltd. ..Defendant.

Mr J.B. Patil, Advocate for the Plaintiff.

Ms R. C. Nichani i/b K. C. Nichani,Advocate for the Defendants.

CORAM: V.C. DAGA,J.
DATED: 12.12.2007.

P.C.:-

1. On the motion made by learned counsel for the plaintiff(i.e.M/s.M.J. Exports Ltd), he is allowed to withdraw the suit filed by it against Mayur Oil and Foods Ltd. The suit is dismissed as withdrawn.

2. Needless to mention that the plaintiff would be entitled to claim refund of court fee as per rules.

3. No order as to costs.

4. Learned counsel for the defendant (i.e. plaintiff in the counter claim) submits that inspite of the letter written to the defendant, she is not getting any response from it. She has no instructions. The sealed

packet addressed to the defendant returned by the Courier is taken on record. On the next date of hearing the defendant (i.e. the plaintiff in the counter-claim) is directed to remain present through the responsible officer for being examined under Order 14 R. 4 of C.P.C. Defendant (plaintiff in the counter-claim) is put on notice that failure on it's part to remain present would result in dismissal of the counter-claim.

5. Stand over to next week.

(V.C. DAGA,J)